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Dayna Broussard

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA — SAN JOSE DIVISION

12 Dayna Broussard

13 Plaintiff,

14 vs.

15 First Premier Bank

16 Defendants.

Federal Case No.: 5:17-CV-04091-BLF

**PLAINTIFF'S NOTICE OF VOLUNTARY  
DISMISSAL OF DEFENDANT FIRST  
PREMIER BANK PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 41(A)(1)**

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19 **PLEASE TAKE NOTICE** that Plaintiff Dayne Broussard, pursuant to Federal Rule of Civil  
20 Procedure 41(a)(1), hereby voluntarily dismisses Defendant First Premier Bank as to all claims in  
21 this action, with prejudice.

22 Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

23 41(a) Voluntary Dismissal

24 (1) By the Plaintiff

25 (a) Without a Court Order. Subject to Rules 23(3), 23.1(c), 23.2, and 66 and any  
26 applicable federal statute, the plaintiff may dismiss an action without a court  
27 order by filing:  
28

1 a notice of dismissal before the opposing party serves either an answer or a  
2 motion for summary judgment.

3 Defendant First Premier Bank has neither answered Plaintiff's Complaint, nor filed a  
4 motion for summary judgment. Accordingly, the matter may be dismissed against it for all  
5 purposes and without an Order of the Court.

6 Dated: August 8, 2018

Sagaria Law, P.C.

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8 By: /s/ Elliot W. Gale

9 Elliot W. Gale

10 Attorneys for Plaintiff

11 Dayna Broussard  
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